

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

Brett Dermont Durham and Hilary Bishop

Durham

S.S. Nos.: xxx-xx-7326 and xxx-xx-7498

Mailing Address: 2737 Mansfield Avenue, Durham, NC 27703-

Case No. 09-82196

Debtors.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on December 9, 2009.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: December 28, 2009

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtors
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 10/15/09

Lastname-SS#: Durham- 7326

RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Creditor Name	Sch D #	Description of Collateral

SURRENDER COLLATERAL

Creditor Name	Description of Collateral

ARREARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See †)
			**
			**
			**
			**
			**
			**
			**
			**
			**

REJECTED INEQUITABLE CONTRACTS/LEASES

Creditor Name	Description of Collateral

11D - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

STD - SECURED DEBTS @ FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Wachovia	7	\$7,899	4.25	\$79	\$384.46	2005 Ford 500 SE
			6.00			
			6.00			
			6.00			

STD - SECURED DEBTS @ 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			6.00			
			6.00			
			6.00			
			6.00			
			6.00			

ATTORNEY FEE (Unpaid part)		Amount	
Law Offices of John T. Orcutt, P.C.		\$2,800	
SECURED TAXES		Secured Amt	
IRS Tax Liens			
Real Property Taxes on Retained Realty		\$1,322	
UNSECURED PRIORITY DEBTS		Amount	
IRS Taxes			
State Taxes			
Personal Property Taxes		\$249	
Alimony or Child Support Arrearage			
CO-SIGN PROTECT (Pay 100%)		Int. Rate	Payoff Amt
All Co-Sign Protect Debts (See*)			
GENERAL NON-PRIORITY UNSECURED			Amount**
DMI=		None(\$0)	\$9,982

PROPOSED CHAPTER 13 PLAN PAYMENT

\$ 409 per month for 60 months, then

\$ N/A per month for N/A months.

Adequate Protection Payment Period: 7.28 months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

* Co-sign protect on all debts so designated on the filed schedules.

** = Greater of DMI x ACP or EAE

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Ch13Plan_MD (New_DeSardi) (6/24/09) © John T. Orcutt

Other Miscellaneous Provisions

Deed of Trust recorded in Bk 3237 Pg. 220 invalid because spouse failed to join in conveyance.

CERTIFICATE OF SERVICE

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

All the creditors set forth on the mailing matrix filing in this case.

/s Charlene Free

Charlene Free

North Carolina Department of Revenue
c/o NC Department of Justice
Post Office Box 629
Raleigh, NC 27602-0629

Internal Revenue Service (ED)**
Post Office Box 21126
Philadelphia, PA 19114-0326

Credit Financial Services
Post Office Box 451
Durham, NC 27702-0451

Employment Security Commission
Attn: Benefit Payment Control
Post Office Box 26504
Raleigh, NC 27611-6504

US Attorney's Office (ED)**
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461

Duke Federal Credit Union **
2200 West Main Street
Suite L 100
Durham, NC 27705

Credit Bureau
Post Office Box 26140
Greensboro, NC 27402

Absolute Collection Service **
421 Fayetteville Street Mall
Suite 600
Raleigh, NC 27601

Duke Hospital
Billing and Collections
Post Office Box 3095 HBO-AR
Durham, NC 27710-3095

NC Child Support
Centralized Collections
Post Office Box 900006
Raleigh, NC 27675-9006

Bank of America
Post Office Box 25118
Tampa, FL 33622-5118

Duke Primary Care
Post Office Box 70841
Charlotte, NC 28272-0841

Equifax Information Systems LLC
P.O. Box 740241
Atlanta, GA 30374-0241

Branch Banking & Trust**
Bankruptcy Section
Post Office Box 1847
Wilson, NC 27894-1847

Duke Private Diagnostic Clinic
Post Office Box 530
Durham, NC 27702-0530

Experian
P.O. Box 2002
Allen, TX 75013-2002

Chase Home Finance
9451 Corbin Ave
Northridge, CA 91328

Duke University Hospital
Post Office Box 900002
Raleigh, NC 27675-9000

Innovis Data Solutions
Attn: Consumer Assistance
P.O. Box 1534
Columbus, OH 43216-1534

Coastal Capital Corp
1 Plaza Rd.
Greenvale, NY 11548

Duke University Hospital
Post Office Box 101967
Atlanta, GA 30392-1737

Trans Union Corporation
P.O. Box 2000
Crum Lynne, PA 19022-2000

Coastal Capital Corp.
220 Ponte Vedra Park Drive
Ponte Vedra Beach, FL 32082

Duke University Hospital**
PO Box 15000
Durham, NC 27704

ChexSystems
Attn: Consumer Relations
7805 Hudson Road, Ste. 100
Woodbury, MN 55125

Credit Bureau of Greensboro**
Post Office Box 26140
Greensboro, NC 27402-0040

Durham County Tax Collector
Post Office Box 3397
Durham, NC 27701

Durham Regional Hospital
Post Office Box 91040
Durham, NC 27708-1040

NC Department of Revenue
Post Office Box 25000
Raleigh, NC 27640-0002

Fannie Mae
3900 Wisconsin Ave, NW
Washington, DC 20016-2892

Secured by Other
P O Box 25341
Santa Ana, CA

Freddie Mac
8200 Jones Branch Dr
Mc Lean, VA 22102-3100

Sessoms & Rogers P.A.
Attorneys At Law
Post Office Box 52508
Durham, NC 27717-2508

Internal Revenue Service (MD)**
Post Office Box 21126
Philadelphia, PA 19114-0326

US Attorney's Office (MD)**
Middle District
Post Office Box 1858
Greensboro, NC 27502-1858

Kross, Lieberman and Stone, Inc.
Post Office Box 17449
Raleigh, NC 27619-7449

Washington Mutual
Home Loans Inc.
2210 Enterprise Drive
Florence, SC 29501

Law Office of John Orcutt
6616 Six Forks Road
Raleigh, NC 27615

William Bishop
2211 Leah Drive
Hillsborough, NC 27278

Mark H. Black
5316 Six Forks Rd
1st Floor
Raleigh, NC 27609

Mark H. Black
1312 Briar Patch Ln.
Raleigh, NC 27615

Nationwide Title Clearing
101 N. Brand, #1800
Glendale, CA 91203